



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

बुधवार, 27 अप्रैल, 2022 / 07 वैशाख, 1944

हिमाचल प्रदेश सरकार

राजस्व विभाग-आपदा प्रबन्धन

अधिसूचना

शिमला-2, 28 मार्च, 2022

संख्या: रैव0(डी0एम0सी)(एफ)-2-1/2018 (Norms).— राज्यपाल, हिमाचल प्रदेश, दिनांक 20 मार्च 2022 को मन्त्रीमण्डल की बैठक में हुए निर्णय के अनुसार हिमाचल प्रदेश आपदा एवं राहत नियमावली, 2012 में निम्नलिखित मद शामिल किए जाने की सहर्ष स्वीकृति प्रदान करते हैं:—

1. मधु मक्खियों (Honey Bees), रंगड़ (Hornet), और ततैया (Wasps) के काटने से मौत।
2. दुर्घटनावश पानी में डूबने से मौत।
3. वाहन दुर्घटना के कारण घायल/मृत्यु में (जल, थल व वायु) तीनों तरह के यातायात वाहन सम्मिलित करना।

उपरोक्त वर्णित आपदाओं के कारण मृत/घायलों को भी हिमाचल प्रदेश आपदा एवं राहत नियमावली, 2012 के अनुसार राहत राशि प्रदान की जाएगी। यह मद दिनांक 28-03-2022 से मान्य होंगे व प्रदेश विशिष्ट आपदा (State Specific Disaster) मद में सम्मिलित किए जाएंगे।

उपरोक्त मदें शामिल करने के पश्चात निम्नलिखित आपदाएं हिमाचल प्रदेश आपदा एवं राहत नियमावली, 2012 के अधीन मृत या घायल होने पर गृह मंत्रालय भारत सरकार द्वारा निर्धारित मापदंडों के अनुसार राहत राशि हेतु मान्य होंगे। जिनका विक्षेपण निम्नलिखित है:—

(क) गृह मन्त्रालय, भारत सरकार द्वारा SDRF/NDRF मानकों में निर्धारित आपदाएं :—

पत्र संख्या (33-03/2021-NDM-I दिनांक 12 जनवरी, 2022 के पैरा 3 (1) अनुसार

1. सूखा (Drought)
2. भूकम्प (Earthquake)
3. आग के कारण क्षति (Fire)
4. बाढ़ (Flood)
5. ओलावृष्टि (Hailstorm)
6. भू-स्खलन (Landslide)
7. हिमस्खलन/हिमखंड (Snow avalanches/ Glaciers)
8. बादल फटना (Cloud bursts)
9. कीट (Pest Attack)
10. ठण्ड एवं शीत लहर (Frost & cold wave)
11. स्यामी (Tsunami)
12. चक्रवात (Cyclone) विशिष्ट

(ख) प्रदेश सरकार द्वारा निर्धारित राज्य विशिष्ट आपदाओं के अधीन सम्मिलित मद:—

(हिमाचल प्रदेश आपदा एवं राहत नियमावली, 2012 व हिमाचल प्रदेश सरकार द्वारा दिनांक 11 मई, 2016 व 20 मार्च, 2022 को मन्त्री मण्डल की बैठक में हुए निर्णय के अनुसार आपदा राहत हेतु सम्मिलित किया गया है।)

1. वाहन दुर्घटना (जल, थल व वायु तीनों तरह के यातायात वाहन)
2. नाव दुर्घटना (Boat Mishap)
3. विशैला भोजन (Food Poisoning)
4. आसमानी बिजली का गिरना (Lightening)
5. पेड़ या चटान से गिरना (Fall from tree or steep-rock)
6. गैर-विस्फोटक (Non-explosive burst)
7. सर्पदंश (Snake-Bite)
8. भूमि तूफान (Land Storm)
9. आवारा/पालतु पशु का प्रहार (Hit by stray/pet animal)

10. कुत्ते का काटना (Dog-bite)
11. बिजली का करंट (Electrocution)
12. अत्यधिक बारिश (Excessive Rain)
13. महामारी फैलना (Epidemics)
14. जमीन धंसना (Sinking of Land)
15. हिमखंड (Glacier)
16. मधु मक्खियों (Honey Bees), रंगड (Hornet), और ततैया (Wasps) का काटना
17. दुर्घटनावश पानी में डूबना (Accidental Drowning)

उपरोक्त वर्णित प्राकृतिक आपदाओं के कारण मृत्यु/घायल होने पर हिमाचल प्रदेश आपदा एवं राहत नियमावली, 2012 (Annexure-F) में निर्धारित वर्तमान मापदण्डों के अनुसार राहत राशि निम्न प्रकार से है:—

1.	मृत्यु होने पर अनुग्रह राशि	मु0 4.00 लाख रुपये
2.	40% से 60% अपंग होने पर	मु0 59,100 रुपये
3.	60% से अधिक अपंग होने पर	मु0 2.00 लाख रुपये
4.	गम्भीर रूप से घायल होने व एक सप्ताह से अधिक दिनों तक अस्पताल में भर्ती होने पर।	अधिकतम मु0 15,000/- प्रति व्यक्ति
5.	घायल होने व एक सप्ताह से कम दिनों तक अस्पताल में भर्ती होने पर।	अधिकतम मु0 5,000/- प्रति व्यक्ति

आदेशानुसार,
हस्ताक्षरित /—
(ओंकार चन्द शर्मा),
प्रधान सचिव (राजस्व आपदा प्रबन्धन)।

MUNICIPAL CORPORATION SHIMLA

NOTIFICATION

Dated, the 23rd April, 2022

No. MCS/AST/22-1019.—In exercise of the powers conferred by clause A of Section 395, read with Section 86, 88 and 94 of the Himachal Pradesh Municipal Corporation Act, 1994 (Act No. 12 of 1994), the following draft amendment in the Shimla Municipal Corporation (Property Taxation) Bye-Laws, 2015 made by the Municipal Corporation, Shimla are hereby published in the Rajpatra, Himachal Pradesh (extra-ordinary) for the information of general public and notice is hereby given that the said draft amendments in the Shimla Municipal Corporation (Property Taxation) Bye-Laws, 2015 shall be considered by the Corporation after expiry of a period of 30 days from the date of their publication in the Rajpatra, Himachal Pradesh.

If any person, likely to be affected by these draft amendments in the Shimla Municipal Corporation (Property Taxation) Bye-Laws, 2015 has any, objection(s) against these draft amendments, he may send written objections to the Commissioner, Municipal Corporation, Shimla within the aforesaid period.

Objections, if any, received within the period as specified above, shall be taken into consideration by the Municipal Corporation, Shimla before finalizing these amendments in Bye-Laws, namely:—

1. Short title.—These Bye-Laws may be called the Shimla Municipal Corporation (Property Taxation) Amendment Bye-Laws, 2022.

2. Amendment of Bye-Laws 6 Inspection of assessment list.—Following proviso shall be added in the existing Bye -Laws 6 as under:—

“Provided that in cases in which any land or building is for the first time assessed or reteable value of any land or building is increased, the Commissioner shall give written notice thereof in Form-G to the owner or to any lessee or occupier of the land and building.”

3. Amendment of Bye-Laws 24 Age Factor and Age-wise grouping and value of the building.—In Bye-Laws 24, after Group D new Group “E” with age of building and new factor value shall be added as under:—

Group	Building	Factor Value
E	2021 and beyond	6.00

4. Amendment of Bye-Laws, 25 Occupancy factor, characteristics and its value, (ii) Value per Sq. Mtr. for non-residential Occupancy.—In Bye-Laws 25, clause (ii) in column D after the word Guest House the word “Bed and Breakfast” shall be added.

5. Amendment of Bye-Laws, 26. Use factor, characteristic and its value.—In Bye-Laws 26, after clause (ii) new clause (iii) shall be inserted as under “(iii) Let out residential =2.50/-”.

6. Amendment of Bye-Laws, 27 Method for calculation of rateable value and Rate of property tax on the rateable value of the unit of lands and buildings.—Following provisos shall be added below Table in Bye-Laws 27

“Provided that there shall be an enhancement in property tax @ 10% after every three years on the existing percentage of rateable value.

Provided further that the Commissioner may, after affording an opportunity of being heard, deny or withdraw the No Objection Certificate issued for installation of electricity connection and disconnect the water connection and sewerage connection, if the owner, or the occupier of the premises in question is assessable to taxes and arrears to the Corporation as per the demand raised and the same may be restored on the written request of such owner or occupier, by the Commissioner on imposition of a penalty not exceeding twenty thousand rupees.”

Sd/-
Commissioner,
Municipal Corporation Shimla.

Municipal Corporation Shimla
Tax Department
(See Bye-Laws 6)

No.

Dated :

From

The Commissioner
M. C. Shimla.

To

Sub.:— Tax Assessment Notice.

Sir,

You are informed through this notice that your property known as _____ has been assessed under section 94 of HPMC Act, 1994 for the year _____ amounting to Rs. _____ PA on unit area method comprised on Zone _____ on the basis of factors as mentioned overleaf.

The notice of assessment of property tax will not confer any right on the person paying the tax or anyone else to claim validation of unauthorized construction at a later date and the same is without any prejudice to the rights of the Shimla Municipal Corporation to take any legal action including that of demolition in respect of such unauthorized construction/structure.

You are requested, to submit your objections, if any, either personally or through any agent authorized by you within 30 days from the receipt of the notice alongwith authentic proof in writing, so that the MC Shimla may consider these objections accordingly. The detail of proposed assessment is as under.

Sl. No.	Unit	Area	Factors					Total rateable value	Maintenance & repair Rebate @ 10% U/s 88 of MC Act	Net rateable value	Remarks
			F1	F2	F3	F4	F5				
1.	(a) Residential		5			2.00	1.50				
	(b) Let Out Residential		5			2.50	2.50				
2.	Non Residential/Commercial										
	(a) Hotel above built up area of 2000 sq. m., MNC Show Rooms and Restaurants.		5			12	2.50				
	(b) Hotel having built up area between 1000 to 2000 sq.m. and Show room above 1000 sq. m.		5			10	2.50				
	(c) Other Hotels, Bars, Restaurant, Banks, ATMs Show rooms, Call Centre, Marriage Hall, travel Agency, Mobile Towers, Coaching Centre.		5			8	2.50				
	(d) Shops, Schools, Colleges, Education institutions, Offices, Hostel,		5			7	2.50				

	Hospital, Theatre, Clubs, Paying Guest House (PGs), Guest House. Bed & Breakfast.										
	(e) Godowns, Dhabha, Stall and Other Types of properties not covered under (a to e).		5			3	2.50				
3.	Plot of Land/Structure		5								

*Assistant Secretary Tax,
MC Shimla.*

Location factor/characteristic and its value:—

(i) **Number of zones.**—The entire old and merged Municipal area has been divided *i.e.* A&B zone.

(i) **Location factor (F-1) @ 5 is same for both the zones.**

Structural factor, Characteristics and its values (F2):—

(i) For Pucca-building value per Sq.Mtr. = 3.00

(ii) For Semi-Pucca building, value per Sq. Mtr. = 2.00

(iii) For Kuccha building, value per Sq. mtr. = 1.00

Age factor and Age-wise grouping and value of the Building (F3):—

Group		Factor Value
A	Before 1947	1.50
B	1947 to 1980	3.00
C	1981 to 2000	4.00
D	2001 to 2020	5.00
E	2021 and beyond	6.00

Occupancy factor/Characteristic and its value (F4):—

(i) Value for residential occupancy:

(a) Value for self residential	(b) Value for Let out residential
2.00	2.50

(ii) Value per sq.mtr. for non-residential Occupancy.

A	B	C	D	E
Hotel above built up area of 2000 sq. m., MNC Show Rooms and Restaurants	Hotel having built up area between 1000 to 2000 sq.m. and Show room above 1000 sq. m.	Other Hotels, Bars, Restaurant, Banks, ATMs Show rooms, Call Centre, Marriage Hall, Travel Agency, Mobile Towers, Coaching Centre	Shops, Schools, Colleges, Education institutions, Offices, Hostel, Hospital, Theatre, Clubs, Paying Guest House (PGs), Guest House Bed & Breakfast	Godowns, Dhabha, Stall and Other Types of properties not covered under (A to D)
12	10	8	7	3

Use factor/Characteristic and its value (F5):—

The value of Use factor/characteristic of the unit(s) of the lands & buildings for the purpose of Clause (c) ibid shall be as under:—

(i) Residential = 1.50/-

(ii) Non-Residential = 2.50/-

(iii) Let out Residential = 2.50/-

Method for calculation of Rateable Value and Rate of property tax on the unit of lands and Buildings.—Area (in sq. mtrs) of a unit multiplied by value of relevant factors of unit area method as mentioned in 22 to 26 of the bye-laws. The figure that will so come out, thereof shall be the net rateable value of unit and property tax shall be charged on that net rateable value at the rate of 15% in Zone A and 10% in Zone B for lands and in case of buildings as under:—

A-Zone	B-Zone
(i) For self occupied residential properties measuring 1sq.mtr. to 100 sq. mtrs. @3% P.A on the RV (Rate able Value).	(i) For self occupied residential properties measuring 1sq.mtr. to 100 sq. mtrs. @2% P.A on the RV. (Rate able Value)
(ii) For self occupied residential properties. Measuring 101 sq.mtrs. to above @6% P.A. on the RV (Rate able Value).	(ii) For self occupied residential properties measuring 101 sq.mtrs. to above @4% P.A. on the RV(rate able Value).
(iii) For non-residential properties @ 10% P.A. on the rateable value.	(iii) For non-residential properties @ 5% P.A. on the rateable value.

MUNICIPAL CORPORATION SHIMLA**NOTIFICATION***Dated, the 23rd April, 2022*

No. MCS/Comm./515/SE/2020-1021.—Whereas, the Municipal Corporation Shimla drafted the “**MUNICIPAL CORPORATION SHIMLA ERECTION, EXHIBITION, AFFIXATION OF ADVERTISEMENT AND HOARDING BYE-LAWS 2020**” were published in the Rajpatra, Himachal Pradesh (extra-ordinary) on 03-06-2021 *vide* notification of even number dated 05-05-2021 for inviting public objections under Section 397 of the Himachal Pradesh Municipal Corporation Act, 1994.

And Whereas, no objections were received from any quarter within the specified period of 30 days from the date of publication of these draft bye-laws.

Now, therefore, in exercise of the powers conferred by Clause (I) of Section 395, 396 and Section 397 read with Section 115, 116, 117, 118 and 119 of the Himachal Pradesh Municipal Corporation Act, 1994 (Act No. 12 of 1994) as amended from time to time, the final “**MUNICIPAL CORPORATION SHIMLA ERECTION, EXHIBITION, AFFIXATION OF ADVERTISEMENT AND HOARDING BYE-LAWS 2020**” are hereby notified and published in the Rajpatra, Himachal Pradesh (extra-ordinary) for information of the general public as follows, namely:—

**MUNICIPAL CORPORATION SHIMLA ERECTION, EXHIBITION, AFFIXATION OF
ADVERTISEMENT AND HOARDING BYE-LAWS 2020**

1. Short title, commencement and application.—(i) These Bye-laws may be called, “Municipal Corporation Shimla Erection, Exhibition, Affixation of Advertisement and Hoarding Bye-laws 2020”.

(ii) These Bye-laws shall come into force from the date of their publication in the Rajpatra (extra-ordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of Municipal Corporation, Shimla as defined from time to time.

2. Definitions.—(i) In these Bye-laws, unless the context otherwise requires:—

- (a) “**Act**” means the Himachal Pradesh Municipal Corporation Act, 1994 (Act No. 12 of 1994) as amended from time to time.
- (b) “**Applicant**” means any person applying for permission for erection, exhibition, affixation of advertisement and hoarding upon the land and buildings falling within the jurisdiction of Municipal Corporation, Shimla which include the Government/Semi Government and Private buildings.
- (c) “**Authorized Officer**” means any Officer/Official duly authorized by the Corporation or its Commissioner under these Bye-laws.
- (d) “**Hoarding**” means any advertisement to be placed by way of erection, exhibition and affixation or to retain upon or over any land, building, wall, boarding, frame, poster

structure or upon in any vehicle including any advertisement exhibited by means of cinematography.

- (e) **“Place”** means authorized sites/locations specified by the Corporation for erection, exhibition and affixation of advertisement hoarding with the limits of Corporation.
- (f) **“Permission”** means sanction/approval granted by the Commissioner or the Officers authorized by him in this behalf for erection, exhibition and affixation of advertisement hoardings.
- (g) **“Special Judicial Magistrate 1st Class”** means the Judicial Magistrate having jurisdiction over the area of Municipal Corporation, Shimla under the Act.
- (h) Words and expressions used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition of advertisement without written permission of the Commissioner.—

(i) No advertisement shall be erected, exhibited, affixed or retained upon or over any land building, wall boarding, frame, post or structure or upon in any vehicle or shall be displayed in any manner, whatsoever in any place within the Municipal area including private land and buildings without the written permission of the Commissioner granted in accordance with these Bye-laws except the advertisement hoardings of the Central, State Government highlighting the achievements of the Governments within the area of Municipal Corporation Shimla.

(ii) All such advertisement hoarding erected/installed by any other individual, authority or agency including the public sector undertakings duly owned and controlled by the Government shall be liable to seek prior permission for erection and installation of such hoardings within the territorial jurisdiction of the Corporation, on such fees and other terms and condition as may be fixed in this behalf by the Commissioner under these Bye-laws. However, no permission shall be permissible for the hoardings to be installed by Central, State Government highlighting the achievements of the Governments within the area of Municipal Corporation Shimla.

(iii) Any person authority or agent found erecting, exhibiting and affixing the advertisement hoardings illegally, unauthorisedly and without any permission shall be liable for penalty under these Bye-laws and such hoardings alongwith frame structure/vehicle displaying the same shall be impounded.

4. Procedure for application and grant of permission.—(i) Applicant or the person concerned, intending to erect, exhibit and affix the advertisement hoardings within the area of the Corporation, shall in writing submit the detail of the location/site, size of hoarding to be occupied for such installation to the Commissioner/Additional/Joint Commissioner or the Officer authorized in this behalf.

(ii) The application submitted by the applicant shall be verified by the concerned branch dealing with hoarding permission who shall after spot inspection process the same for the approval of the authority for grant of necessary permission in favour of the applicant after assessing the hoarding charges for erection, affixation and exhibition of such hoarding and convey the same to the applicant before granting permission.

(iii) The permission for erection, affixation and exhibition of advertisement hoarding shall be accorded only after obtaining receipt of the amount to be deposited by the applicant in the Corporation on this account.

(iv) The place for erection, affixation and exhibition of advertisement hoarding shall be communicated to the applicant by the concerned branch of the Corporation in writing and the name of the place/site of erection, affixation and exhibition of advertisement hoarding by the applicant shall also be mentioned on the hoardings to be affixed/erected and installed alongwith the date and period of sanction on such hoarding. Further, intimation of the same shall also be given to the Commissioner/Additional/Joint Commissioner, Municipal Corporation or to the Estate Branch of the Corporation or to the concerned agency or the contractor hired or engaged by the Corporation for managing the sites for erection, affixation and exhibition of advertisement hoardings.

(v) In the case of advertisement affixed, erected and installed upon vehicle, a person shall have to carry the original permission, a copy of which shall be affixed on the windscreen of the vehicle and the same shall have to be shown to the authorized officer of the Corporation at the time of inspection. Further, all other persons, authority or agency shall also be liable to show the sanction to the inspecting staff of the Corporation at any time.

(vi) The permission granted by the Commissioner for erection, exhibition and affixation of advertisement hoarding shall be time specific and after expiry of period of permission, the concerned person, authority and agency shall be liable to remove the same forthwith failing which the same shall be removed by the Corporation at the risk cost and responsibility of the person concerned. In addition the Commissioner shall impose penalty at the rate of rupees 5000/- (five thousand) per day and amount shall be recovered from the concerned as per the provisions contained in Section 124 of the H.P. Municipal Corporation Act, 1994.

(vii) In case the advertisement hoarding is affixed on the private land or building including shops and the person concerned have failed to release the amount of fees to be paid to the Corporation on account of such sanction, the Commissioner in addition to the aforesaid penalty shall take steps to withdraw civic amenities granted in favour of the person concerned and also to make request to concerned authority for withdrawal of sanction/ recognition granted by them in favour of the person concerned.

(viii) The size of the hoarding shall not be more than the size as fixed by the Corporation and all the advertisement hoarding shall be installed in the specified area and no hoarding shall installed in heritage area or in valley side above the road level and on the roofs of the buildings. All the hoardings must be installed, erected in a way so as to preserve the aesthetics, scenic beauty and the view of the hills.

(ix) No advertisement hoarding shall be erected on sharp and blind curves and should not be located in oblique to the road on any natural water source, tree, water line, Municipal drain, fire hydrant and on garbage container and at a place where it effects the growth of flora etc.

(x) No advertisement hoarding shall be permitted within the area starting from Vidhan Sabha to CTO and than Mall Road, Ridge upto Chhota Shimla post office except the advertisement hoardings to be installed by the specific orders of the State Government for a particular occasion.

(xi) The Commissioner in the exceptional circumstances or in the larger public interest may permit any person, authority or agency to erect, exhibit or affix the advertisement hoardings pertaining to social or State and National interest matter only for a period of 7 days in any area including Core/Heritage area.

(xii) No advertisement hoarding in contravention of any law, rules norms, notification or direction issued by the State Government or by the Municipal Corporation shall be erected, affixed

and installed within the limits of Municipal Corporation. Further, the directive issued by any Court of law in this regard shall be binding upon all the concerned.

5. Rates for affixation, erection and installation of advertisement hoarding.—The rate shall be notified/fixed by the Commissioner, Municipal Corporation Shimla for affixation, erection and installation of advertisement hoarding from time to time and the same shall be notified to the concerned seeking such permission.

6. Duties and responsibilities of the applicant.—(i) It shall be the duty and responsibility of the applicant to make available all the sanctions/permissions granted by the competent authority to the said person, authority or agency to whom such permission has been granted by the Corporation and to follow the instructions/guidelines issued by the Corporation or by the Central/State Government in this regard from time to time.

(ii) Whosoever is found affixing, erecting and exhibiting the advertisement hoarding at a place other than the places so approved for such purpose and in contravention of conditions specified by the Commissioner, in such sanction the person, authority and agency shall be liable jointly for penalty under these Bye-laws in addition to the penalties already provided under the H.P. Municipal Corporation Act, 1994.

7. Compounding of offences.—All the offences punishable under these Bye-laws may, before, the institution of prosecution, be compounded by such officer as may be authorized by the Corporation or its Commissioner in this behalf, on payment of such sum as may be specified by such officer under these Bye-laws.

8. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the Special Judicial Magistrate 1st Class of the Corporation under section 383 of the Himachal Pradesh Municipal Corporation Act, 1994 read with Section 260 of the Code of Criminal Procedure, 1973.

9. Penalty.—(i) Whosoever, is found guilty of affixing, erecting and exhibiting the advertisement hoarding at a place other than the place(s) specified/notified by the Corporation, the rate of penalty shall be rupees 2000/- (two thousand) per square feet per day to be calculated from the date of erection/affixation of such unauthorized hoarding and till its removal by the concerned or by the Corporation.

(ii) In case of repeated violation and the person concerned failed to release the due amount including penalty to the Corporation within a period of 15 days, as the case may be, he/she shall also be liable for disconnection of water, electricity and others civic amenities and the Commissioner may request the competent authority for withdrawal of recognition and registration, if any, granted in his/her favour including withdrawal of building sanction granted in favour of the owner concerned if such unauthorized hoarding is found erected upon the building concerned.

10. Repeal and Savings.—The scheme regulation, Bye-laws if any, relating to affixation, erection and exhibition of advertisement hoardings is hereby repealed. Anything done or any action taken under the said scheme, Bye-laws and Regulations the same shall be deemed to have been done or taken under the provisions of these Bye-laws.

Sd/-
Commissioner,
Municipal Corporation, Shimla.

